



Atty Dkt No: PP19199.002  
2300-19199  
PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

ARCANGEL et al.

Confirmation No.: 7355

Serial No.: 10/658,782

Art Unit: 1648

Filing Date: September 8, 2003

Examiner: M. McGaw

Title: HCV ASSAY

## TERMINAL DISCLAIMER

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Chiron Corporation, hereinafter "Assignee", a Delaware corporation, having an address at 4560 Horton Street, Emeryville, California 94662-8097, is the owner of the entire right, title and interest in and to application U.S. Serial No. 10/658,782, filed September 8, 2003, by virtue of an assignment recorded on March 1, 2004 at Reel 015014, Frame 0122 and is also the owner of the entire right, title and interest in and to (1) U.S. Patent No. 6,630,298, filed June 14, 2001, by virtue of an assignment recorded on May 2, 2003 at Reel 013622, Frame 0921; and (2) U.S. Patent No. 6,632,601, filed June 14, 2001, by virtue of an assignment recorded on May 2, 2003 at Reel 013622, Frame 0863.

In accordance with 37 C.F.R. § 3.73(b), Assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of Assignee's knowledge and belief, title is in the assignee seeking to take this action.

The assignee hereby disclaims the terminal part of any patent granted on the above-captioned application Serial No. 10/658,782 which would extend beyond the expiration date of

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PATENT

U.S. Patent Nos. 6,630,298 and 6,632,601, except as provided below, and agrees that any patent granted on the above-captioned application 10/658,782 will be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Nos. 6,630,298 and 6,632,601, this agreement to run with any patent granted on the above-captioned application Serial No. 10/658,782 and to be binding upon the grantee, its successors or assigns.

In making this disclaimer, the assignee does not disclaim any terminal part of any patent granted on the above-identified application Serial No. 10/658,782 that would extend to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Nos. 6,630,298 and 6,632,601, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment to Deposit Account No. 18-1648.

Executed at Emeryville, California, on April 20, 2005.

CHIRON CORPORATION

By: Lisa Alexander  
Lisa E. Alexander  
Title: Assistant Secretary

O U T R E C E D E R  
APR 22 2005

O I P E S  
APR 21 2005

**Effective 12/08/2004.**  
Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# **FEE TRANSMITTAL**

## **For FY 2005**

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 130)

<i>Complete if Known</i>	
Application Number	10/658,782
Filing Date	September 8, 2003
First Named Inventor	ARCANGEL et al.
Examiner Name	M. McGaw
Art Unit	1648
Attorney Docket No.	2300-19199

**METHOD OF PAYMENT** (check all that apply)

- Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_
- Deposit Account Deposit Account Number: 18-1648 Deposit Account Name: Robins & Pasternak LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee
- Charge any additional fee(s) or underpayments of fee(s)  
under 37 CFR 1.16 and 1.17  Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		
	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES**

**Fee Description**

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Small Entity

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

Fee (\$) Fee (\$)

Multiple dependent claims

200 100

360 180

Total Claims

Extra Claims

Fee (\$)

Fee Paid (\$)

Multiple Dependent Claims

Fee (\$)

Fee Paid (\$)

-20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20

Indep. Claims

Extra Claims

Fee (\$)

Fee Paid (\$)

-3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
_____	- 100 = _____	/ 50 = _____ (round up to a whole number)	x _____	= _____

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Fee for Terminal Disclaimer

130

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	33,208	Telephone	(650) 493-3400
Name (Print/Type)	Roberta L. Robins			Date	April 20, 2005